

SEC. 4012. Section 113 of the Department of Justice Appropriations Act, 1999 (section 101(b) of division A of Public Law 105-277) is amended by striking "section 102(2) of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a(2))" and inserting "section 4(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(b))".

SEC. 4013. DENALI COMMISSION. The Denali Commission Act of 1998 (title III of division C of Public Law 105-277) is amended—

(1) in section 303(b)(1)(D) by striking in two instances "Alaska Federation or Natives" and inserting "Alaska Federation of Natives";

(2) in section 303(c) by striking "Members" and inserting "The Federal Cochairperson shall serve for a term of four years and may be reappointed. All other members";

(3) in section 306(a) by inserting after the first sentence the following: "The Federal Cochairperson shall be compensated at the annual rate prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code.";

(4) in section 306(c)(2) by striking "Chairman" and inserting "Federal Cochairperson";

(5) by inserting at the end of section 306 the following new subsections:

"(g) ADMINISTRATIVE EXPENSES AND RECORDS.—The Commission is hereby prohibited from using more than 5 percent of the amounts appropriated under the authority of this Act or transferred pursuant to section 329 of the Department of Transportation and Related Agencies Appropriations Act, 1999 (section 101(g) of division A of this Act) for administrative expenses. The Commission and its grantees shall maintain accurate and complete records which shall be available for audit and examination by the Comptroller General of his or her designee.

"(h) INSPECTOR GENERAL.—Section 8G(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App. 3, section 8G(a)(2)) is amended by inserting 'the Denali Commission,' after 'the Corporation for Public Broadcasting,'; and

(6) in section 307(b) by inserting immediately before "The Commission" the following: "Funds transferred to the Commission pursuant to section 329 of the Department of Transportation and Related Agencies Appropriations Act, 1999 (section 101(g) of division A of this Act) shall be available without further appropriation and until expended.".

SEC. 4014. Section 3347(b) of title 5, United States Code, as added by the Federal Vacancies Reform Act of 1998, is amended by striking "provision to which subsection (a)(2) applies" and inserting "provision to which subsection (a)(1) applies".

SEC. 4015. Of the amount appropriated under the heading "ENVIRONMENTAL PROGRAMS AND MANAGEMENT" in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (Public Law 105-276), \$1,300,000 shall be transferred to the "STATE AND TRIBAL ASSISTANCE GRANTS" account for a grant for water and wastewater infrastructure projects in the State of Idaho.

SEC. 4016. (a) Notwithstanding any other provision of this Act, none of the amounts provided by this Act are designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) An additional amount of \$2,250,000,000 is rescinded as provided in section 3002 of this Act.

SEC. 4017. Notwithstanding any other provision of this Act, none of the amounts provided by this Act are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE V—MISCELLANEOUS

SEC. 5001. (a) DISPOSAL AUTHORIZED.—Subject to subsection (c), the President may dispose of the material in the National Defense Stockpile specified in the table in subsection (b).

(b) TABLE.—The total quantity of the material authorized for disposal by the President under subsection (a) is as follows:

AUTHORIZED STOCKPILE DISPOSAL	
Material for disposal	Quantity
Zirconium ore	17,383 short dry tons

(c) MINIMIZATION OF DISRUPTION AND LOSS.—The President may not dispose of material under subsection (a) to the extent that the disposal will result in—

(1) undue disruption of the usual markets of producers, processors, and consumers of the material proposed for disposal; or

(2) avoidable loss to the United States.

(d) RELATIONSHIP TO OTHER DISPOSAL AUTHORITY.—The disposal authority provided in subsection (a) is new disposal authority and is in addition to, and shall not affect, any other disposal authority provided by law regarding the material specified in such subsection.

(e) NATIONAL DEFENSE STOCKPILE DEFINED.—In this section, the term "National Defense Stockpile Transaction Fund" means the fund in the Treasury of the United States established under section 9(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h(a)).

SEC. 5002. (a) AVAILABILITY OF SETTLEMENT AMOUNT.—Notwithstanding any other provision of law, the amount received by the United States in settlement of the claims described in subsection (b) shall be available as specified in subsection (c).

(b) COVERED CLAIMS.—The claims referred to in this subsection are the claims of the United States against Hunt Building Corporation and Ellsworth Housing Limited Partnership relating to the design and construction of an 828-unit family housing project at Ellsworth Air Force Base, South Dakota.

(c) SPECIFIED USES.—

(1) IN GENERAL.—Subject to paragraph (2), the amount referred to in subsection (a) shall be available as follows:

(A) Of the portion of such amount received in fiscal year 1999—

(i) an amount equal to 3 percent of such portion shall be credited to the Department of Justice Working Capital Fund for the civil debt collection litigation activities of the Department with respect to the claims referred to in subsection (b), as provided for in section 108 of Public Law 103-121 (107 Stat. 1164; 28 U.S.C. 527 note); and

(ii) of the balance of such portion—

(I) an amount equal to $\frac{2}{3}$ of such balance shall be available to the Secretary of Transportation for purposes of construction of an access road on Interstate Route 90 at Box

Elder, South Dakota (item 1741 of the table contained in section 1602 of the Transportation Equity Act for the 21st Century (Public Law 105-178; 112 Stat. 320)); and

(II) an amount equal to $\frac{1}{3}$ of such balance shall be available to the Secretary of the Air Force for purposes of real property and facility maintenance projects at Ellsworth Air Force Base.

(B) Of the portion of such amount received in fiscal year 2000—

(i) an amount equal to 3 percent of such portion shall be credited to the Department of Justice Working Capital Fund in accordance with subparagraph (A)(i); and

(ii) an amount equal to the balance of such portion shall be available to the Secretary of Transportation for purposes of construction of the access road described in subparagraph (A)(ii)(I).

(C) Of any portion of such amount received in a fiscal year after fiscal year 2000—

(i) an amount equal to 3 percent of such portion shall be credited to the Department of Justice Working Capital Fund in accordance with subparagraph (A)(i); and

(ii) an amount equal to the balance of such portion shall be available to the Secretary of the Air Force for purposes of real property and facility maintenance projects at Ellsworth Air Force Base.

(2) LIMITATION ON AVAILABILITY OF FUNDS FOR ACCESS ROAD.—

(A) LIMITATION.—The amounts referred to in subparagraphs (A)(ii)(I) and (B)(ii) of paragraph (1) shall be available as specified in such subparagraphs only if, not later than September 30, 2000, the South Dakota Department of Transportation enters into an agreement with the Federal Highway Administration providing for the construction of an interchange on Interstate Route 90 at Box Elder, South Dakota.

(B) ALTERNATIVE AVAILABILITY OF FUNDS.—If the agreement described in subparagraph (A) is not entered into by the date referred to in that subparagraph, the amounts described in that subparagraph shall be available to the Secretary of the Air Force as of that date for purposes of real property and facility maintenance projects at Ellsworth Air Force Base.

(3) AVAILABILITY OF AMOUNTS.—

(A) ACCESS ROAD.—Amounts available under this section for construction of the access road described in paragraph (1)(A)(ii)(I) are in addition to amounts available for the construction of that access road under any other provision of law.

(B) PROPERTY AND FACILITY MAINTENANCE PROJECTS.—Notwithstanding any other provision of law, amounts available under this section for property and facility maintenance projects at Ellsworth Air Force Base shall remain available for expenditure without fiscal year limitation.

This Act may be cited as the "Emergency Supplemental Appropriations Act for Fiscal Year 1999".

AUTHORITY FOR COMMITTEES TO FILE LEGISLATIVE OR EXECUTIVE ITEMS ON TUESDAY, APRIL 6, 1999

Mr. ENZI. Mr. President, I ask unanimous consent that on Tuesday, April 6, committees have from the hours of 11 a.m. to 2 p.m. in order to file legislative or executive reported items.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR COMMITTEES TO FILE LEGISLATIVE MATTERS ON MARCH 26, 1999

Mr. ENZI. Mr. President, I ask unanimous consent that committees have from 10 a.m. until 11 a.m. on Friday, March 26, in order to file legislative matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate proceed immediately to executive session to consider all nominations reported by the Armed Services Committee today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I further ask unanimous consent that the nominations be confirmed, the motion to reconsider be laid upon the table, any statements relating to the nominations appear at this point in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, considered and confirmed, en bloc, are as follows:

DEPARTMENT OF ENERGY

Rose Eilene Gottemoeller, of Virginia, to be an Assistant Secretary of Energy (Non-Proliferation and National Security).

The above nomination was approved subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Eugene L. Tattini, 0000.

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Harold L. Timboe, 0000.

IN THE AIR FORCE

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. William C. Jones, Jr., 0000.

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Michael V. Hayden, 0000.

IN THE ARMY

The following Army National Guard of the United States officer for appointment in the

Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Reginald A. Centracchio, 0000.

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Edward J. Fahy, Jr., 0000.

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (1h) Daniel R. Bowler, 0000.
Rear Adm. (1h) John E. Boyington, Jr., 0000.
Rear Adm. (1h) John V. Chenevey, 0000.
Rear Adm. (1h) Albert T. Church, III, 0000.
Rear Adm. (1h) John P. Davis, 0000.
Rear Adm. (1h) John B. Foley, III, 0000.
Rear Adm. (1h) Veronica A. Froman, 0000.
Rear Adm. (1h) Alfred G. Harms, Jr., 0000.
Rear Adm. (1h) John M. Johnson, 0000.
Rear Adm. (1h) Timothy J. Keating, 0000.
Rear Adm. (1h) Roland B. Knapp, 0000.
Rear Adm. (1h) Timothy W. LaFleur, 0000.
Rear Adm. (1h) James W. Metzger, 0000.
Rear Adm. (1h) Richard J. Naughton, 0000.
Rear Adm. (1h) John B. Padgett, 0000.
Rear Adm. (1h) Kathleen K. Paige, 0000.
Rear Adm. (1h) David P. Polatty, III, 0000.
Rear Adm. (1h) Ronald A. Route, 0000.
Rear Adm. (1h) Steven G. Smith, 0000.
Rear Adm. (1h) Ralph E. Suggs, 0000.
Rear Adm. (1h) Paul F. Sullivan, 0000.

IN THE ARMY

The following named officer for appointment as a Permanent Professor of the United States Military Academy in the grade indicated under title 10, U.S.C., section 4333 (b):

To be colonel

Patrick Finnegan, 0000.

Army nominations beginning CHRISTOPHER D. LATCHFORD, and ending JAMES E. BRAMAN, which nominations were received by the Senate and appeared in the Congressional Record on March 8, 1999.

Army nominations beginning LEE G. KENNARD, and ending MICHAEL E. THOMPSON, which nominations were received by the Senate and appeared in the Congressional Record on March 8, 1999.

Army nominations beginning WESLEY D. COLLIER, and ending THOMAS L. MUSSELMAN, which nominations were received by the Senate and appeared in the Congressional Record on March 8, 1999.

Army nominations beginning DAVID E. BELL, and ending HOWARD LOCKWOOD, which nominations were received by the Senate and appeared in the Congressional Record on March 8, 1999.

Army nominations beginning *JAN E. ALDYKIEWICZ, and ending *LOUIS P. YOB, which nominations were received by the Senate and appeared in the Congressional Record on March 8, 1999.

Army nominations beginning TIMOTHY K. ADAMS, and ending DERICK B. ZIEGLER, which nominations were received by the Senate and appeared in the Congressional Record on March 8, 1999.

IN THE MARINE CORPS

The following named officer for appointment to the grade indicated in the United States Marine Corps under title 10, U.S.C., section 624:

To be lieutenant colonel

Stanley A. Packard, 0000.

The following named officer for appointment to the grade indicated in the United States Marine Corps under title 10, U.S.C., section 624:

To be major

Todd D. Bjorklund, 0000.

IN THE NAVY

The following named officer for appointment to the grade indicated in the United States Naval Reserve under title 10, U.S.C., section 12203:

To be captain

Tarek A. Elbeshbeshy, 0000.

Navy nominations beginning GLEN C. CRAWFORD, and ending LEONARD G. ROSS, JR., which nominations were received by the Senate and appeared in the Congressional Record on March 8, 1999.

Navy nominations beginning STEVEN W. ALLEN, and ending DANIEL C. WYATT, which nominations were received by the Senate and appeared in the Congressional Record on March 8, 1999.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

MEASURE READ THE FIRST TIME—S. 755

Mr. ENZI. Mr. President, I understand that S. 755, which was introduced earlier by Senator HATCH and others, is at the desk, and I ask that it be read the first time.

The PRESIDING OFFICER. The clerk will report.

A bill (S. 755) to extend the period for compliance with certain ethical standards of Federal prosecutors.

Mr. ENZI. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

MEASURE READ THE FIRST TIME—S. 754

Mr. ENZI. Mr. President, I understand that bill No. S. 754 introduced earlier today by Senator EDWARDS is at the desk and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

A bill (S. 754) to designate the Federal building located at 310 New Bern Avenue in Raleigh, North Carolina as the "Terry Sanford Federal Building."

Mr. ENZI. I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

RECONSTITUTING THE SENATE ARMS CONTROL OBSERVER GROUP AS THE SENATE NATIONAL SECURITY WORKING GROUP

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 75, submitted earlier today by Senator LOTT.

The PRESIDING OFFICER. The clerk will report.

A resolution (S. Res. 75) reconstituting the Senate Arms Control Observer Group as the Senate National Security Working Group in revising the authority of the group.